Remarks

In Paragraph 5 of the Official Action, Examiner responded to the remarks made in Amendment A. Examiner states that it would be difficult to identify a client using only one of a source IP address, source port, or protocol, in some circumstances, and may be impossible in other circumstances, and thus the definition of sineprocessly defines a nonfunctional operation in those circumstances.

Sineprocessly means "prior to any initiating, or assigning the client to, a process on the server to handle subsequent secure communications from that client, as identified by any or all of the source IP address, source port and protocol." Certainly, Examiner would agree that a client can be identified by all of the source IP address, source port and protocol. But to identify a client, one could use any of these things. For example, the client could be identified by its IP address. It may be difficult to figure out what protocol the client wishes to use if all one has is the IP address, but the definition just states that the client has to be identified using any of these things, it does not state that communications are processed using just the IP address. Examiner states that a port is

also necessary to identify a client, but a client can be

identified using an IP address alone.   Thus, Examiner would

surely agree that the client computer system may be

identified by an IP address.   Similarly, each client could

5   use a unique source port, allowing the client to be

identified using the source port alone.   Examiner points to

an example in which the source port is 443, but every

client computer system using the same source port is not

required.   The protocol could also uniquely identify a

10   client: if there were only two clients in a system, for

Example, the protocol could be used to identify the client.

The specification does not require any specific method of

identifying the client: as long as the client is identified

using any of these or all of them, provided the remainder

15   of the definition is met, the definition is satisfied.

In any event, the 112 rejection is no longer part of

the official action, and thus, the argument in the prior

action appears to have overcome the rejection.

On pages 3-5, Examiner rejected claims 1-24 under 35

20   U.S.C. 102(b) as being anticipated by Elgamal.   This

rejection is respectfully traversed.

11

Claims 1, 9 and 17 address sineprocessly generating and sineprocessly sending a response to a request for a server.

Elgamal, column 7, lines 20-40 does not recite generating a response and providing a response to a request for a server sineprocessly. Elgamal does address responding to a request, but does not address doing to sineprocessly. For example, Elgamal is silent regarding whether the process described in column 7, lines 20-40 occurs "prior to any initiating, or assigning the client to, a process on the server to handle subsequent secure communications from that client", as claimed. Examiner is respectfully reminded that Examiner is required to show all of the features of the claimed invention, and Elgamal is silent regarding these features. If Examiner believes that the Elgamal process occurs "prior to any initiating, or assigning the client to, a process on the server to handle subsequent secure communications from that client", Examiner is respectfully requested to explain where in Elgamal this feature is disclosed. Applicants' attorney has not been able to locate that portion of the reference.

Thus, claims 1, 9 and 17 are patentably distinguishable from Elgamal. Because claims 2-8 depend from claim 1, claims 10-16 depend from claim 9 and claims

12

18-24 depend from claim 17, claims 1-24 are patentably distinguishable over Elgamal.

Favorable action is solicited.

Respectfully submitted,

December 27, 2005

By: _Charles E. Gotlieb_
Charles E. Gotlieb
Registration No. 38,164
Innovation Partners
540 University Ave., Suite 300
Palo Alto, CA 94301
(650) 328-0100

5

10

14